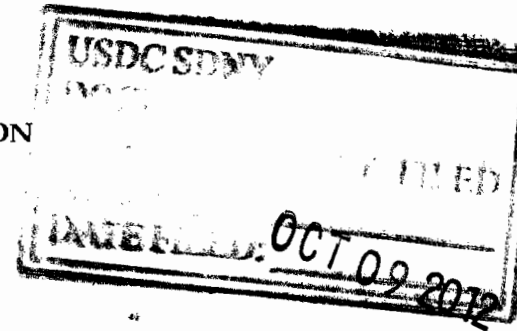




UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
NEW YORK REGIONAL OFFICE
3 WORLD FINANCIAL CENTER
ROOM 400
NEW YORK, NEW YORK 10281-1022



October 5, 2012

Via Facsimile: 212-805-6737

The Honorable George B. Daniels
United States District Judge
U.S. District Court for the Southern District of New York
500 Pearl Street
New York, NY 10007-1312

SO ORDERED
The conference is adjourned to
December 19, 2012 at 9:30 a.m.

OCT 09 2012

George B. Daniels
HON. GEORGE B. DANIELS

Re: *SEC v. Tai Nguyen.; 12 Civ. 5009 (GBD)*

Dear Judge Daniels:

The undersigned counsel represents Plaintiff Securities and Exchange Commission in the above-referenced action.

We write, on behalf of the SEC and defendant Tai Nguyen, to request a 60-day adjournment of the Initial Pretrial Conference that is currently scheduled for October 18, 2012 at 9:30 a.m. This is the second such request for an adjournment.

The parties make this joint request because we are engaged in settlement discussions and hope to resolve this action relatively soon. However, those discussions, and the terms of the anticipated settlement, will be significantly impacted by the sentence that the defendant receives in the parallel criminal proceeding, *U.S. v. Nguyen*, 12-Cr.-495 (NRB). The defendant has already pleaded guilty in the criminal case and will be sentenced on November 8, 2012. Once the sentencing occurs, the parties should be able to agree on terms to settle this action in short order.

Please feel free to contact the undersigned if you have any questions.

Respectfully submitted,

Daniel R. Marcus
Senior Counsel

cc: David Wikstrom, Esq.
Counsel to Defendant Tai Nguyen